

REMARKS

Claims 10-15 remain pending in this application. Claims 10-15 are rejected. Claims 1-9 are previously cancelled. New claims 16-21 are added. Claims 10 and 13-15 are amended herein to broaden language as deemed appropriate.

CLAIM REJECTIONS BASED ON OBVIOUSNESS DOUBLE PATENTING

Claims 12-16 are rejected under the judicially created doctrine of the "obviousness" type double patenting rejection as unpatentable over claims of U.S. Patent No. 6,628,299.

With regard to the "obviousness" type double patenting rejection, the assignee herein files, without prejudice, a terminal disclaimer in compliance with 37 CFR 1.321(b) pursuant to 37 CFR 1.78(d) in order to overcome the double patenting rejection.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 10-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Weber reference. Applicant herein respectfully traverses these rejections. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485

(Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

Each of the present claims requires a plurality of indicators and selectors provided in each of the indicators for selecting signals from the signal producing units. In claims 14 and 15 the signal producing units correspond to the recited measuring devices. In the Office Action the Examiner alleges that the Weber reference discloses a plurality of indicators and cites page 5, lines 18-33. However, the cited text does not disclose a plurality of indicators, i.e., display devices, that are connected to a plurality of signal producing units by a means for coupling. The text merely refers to different sonar systems generally in the plural and displays collectively used in the prior art in plural. This text does not provide a teaching to provide a plurality of displays coupled in any one given system. Hence, the reference does not teach the claim elements arranged as claimed. Furthermore, anticipation requires that a reference be enabling. The Weber reference is obviously deficient in this respect since it does not teach the claimed coupling of a plurality of signal sources with a plurality of indicators. The Examiner's attention is directed to Fig. 1 of the Weber reference wherein a single display is shown. Given that the reference does not show plurality of displays in a given system, it is academic that it cannot teach the claimed selectors at each of the indicators and therefore cannot anticipate the claims.

In view of the above, it is respectfully submitted that claims 10-15 particularly describe and distinctly claim elements not disclosed in the cited reference. It is further noted that claims substantially identical to those pending have issued in British Patent GB 2,382,483 A, on May 28, 2003, wherein the Weber reference (WO97/04334A1) was first cited in a search report of September 3, 1999. (Copies of British Patent GB 2,382,483 A and the search report of September 3, 1999 are provided herewith.) Therefore, reconsideration of the rejections of claims 10-15 and their allowance are respectfully requested.

Additionally, it is called to the Examiner's attention that the feature of the plurality of indicators existed in the originally considered claims and is not taught by the applied reference. Since this feature is not presently added, the present claim amendments cannot necessitate making a next action final since the rejection was deficient. Therefore, it is respectfully submitted that the next Office Action cannot be made final.

Claims 16, 18, and 20 further detail that the coupling means simultaneously provide signals from each of the signal producing units or measuring devices at the points whereat the indicators are disposed and that the selectors at these positions select from the signals. Claims 17, 19, and 21 relate that the means for coupling converts the signals to different frequencies that are carried on a common signal conducting medium and that the selectors convert the different frequency signals to

reproduce the signals of the signal producing units or measuring devices. These features are not found in the prior art.

TERMINAL DISCLAIMER FEE

A terminal disclaimer in compliance with 37 CFR 1.321(c) is herein filed.

Please charge the corresponding fee of \$130.00 to Deposit Account No. 10-1250.

If there is any discrepancy between the fee(s) due and the fee payment authorized the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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enc: Terminal Disclaimer, and copies of British Patent GB 2,382,483 A and the associated search report of September 3, 1999.